

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-3, 5 and 7-29 are presently active in this case. The present Amendment amends Claims 1 and 26 and cancels Claim 6 without prejudice.

In the outstanding Office Action, Claim 6 was rejected under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 1-2, 5-11 and 21-29 were rejected under 35 U.S.C. §102(b) as anticipated by Kamon (U.S. Patent No. 5,920,646). Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over Kamon in view of Hong (U.S. Patent No. 5,457,546). Claims 12-20 were rejected under 35 U.S.C. §103(a) as unpatentable over Kamon in view of Accad (U.S. Patent No. 5,553,200).

To correct minor informalities, Claims 1 and 26 are amended to recite “based on the selection signal” instead of “base on the selection signal.” Since these amendments are only clerical in nature, the changes are not believed to raise a question of new matter or narrow the claims in any aspect.

In response to the rejection of Claim 6 under 35 U.S.C. §112, second paragraph, Claim 6 is cancelled without prejudice.

In response to the rejection of Claims 1-2, 4-11 and 21-26 under 35 U.S.C. §102(b), Applicant respectfully requests reconsideration of the rejection and traverses the rejection as discussed next.

Briefly recapitulating, independent Claim 1 is directed to an image forming apparatus including a smoothing unit, the smoothing unit including a selector selecting one of original image data, which is a multiple value image data, or a smoothed image data, which is a binarized image data. Independent Claim 26 recites similar features in the context of a

controller configured to receive an original image data from an external image-data source.

As explained in the Specification at page 7, lines 16-25, the claimed invention improves upon conventional smoothing processes in image forming apparatuses by preventing a gradation in an image represented by multiple value image data from being deteriorated by an unnecessary smoothing process.

Turning now to the applied reference, the Kamon patent discloses a multi-value processing unit 101 including a pattern memory 106, a multi-value filter 107, an FF/00 converter 108, a determination unit 109, and a selector 110. The multi-value processing unit 101 can perform the multi-value processing in three modes.¹ The determination unit 109 processes image data, which has previously passed through the binary gradation processing unit.

However, Applicant respectfully submits that Kamon fails to teach or suggest the claimed selector to select one of original image data or a smoothed image data. Kamon's determination unit 109 receives in any case data that has already been binarized by the binary gradation processing unit and therefore cannot access an original image. Applicant's claimed selector is configured to *select either the original image* data received by the controller *or the smoothed image data*, based on the selection signal. The outstanding Office Action states that Kamon teaches a "selector (figure 3(109) of Kamon) configured to select one of the original image data received by the controller and one of the smoothed image data based on the selection signal"² and further states that "[t]he only difference is the format used for the electronic representation of the image data."³ Applicant respectfully disagrees. As seen in Figure 3 of Kamon, any data provided to determination unit 109 must be fed through the binary gradation processing unit 192.⁴ The gradation process unit 191 is an element of the

¹ See Kamon at column 11, lines 7-13 and in Fig. 3.

² See the outstanding Office Action on page 5, lines 9-13.

³ See the outstanding Office Action on page 5, lines 20-21.

⁴ See Kamon in Fig. 2 and in Fig. 3.

gradation process circuit 19.⁵ Accordingly, the determination unit 109 receiving binarized from the binary gradation processing unit 192, as disclosed by Kamon, *is not* a selector selecting one of original image data or smoothed image data.

Therefore, Kamon fails to teach or suggest every feature recited in the claims as currently written, and therefore the rejection under 35 U.S.C. §102(b) is believed to be overcome and Claims 1-3 and 5-29 are believed to be patentably distinct over Kamon.

In response to the 35 U.S.C. §103(a) rejections of Claim 3 over Kamon in view of Hong and Claims 12-20 over Kamon in view of Accad, none of these applied references are believed to overcome the deficiencies in Kamon discussed above. Therefore Applicant respectfully traverses, and requests reconsideration of, the rejections based on the Kamon patent, and further in view of Hong or Accad.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after Final Rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome outstanding rejections under 35 U.S.C. §112, second paragraph and 35 U.S.C. §102(b), the present amendment places the application in better form for consideration on appeal. In addition, the present amendment is not believed to raise new issues because the changes to Claims 1 and 26 are of a minor nature. It is therefore respectfully requested that 37 C.F.R. §1.116 be liberally construed, and that the present amendment be entered.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-3, 5 and 7-29 is earnestly solicited.

⁵ See Kamon at column 10, lines 19-22.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599



22850

Surinder Sachar.
Registration No. 34,423

Tel. (703) 413-3000
Fax (703) 413-2220
GJM/SNS/NPS/maj
I:\ATTY\NS\00557\196078US\196078-AM2-DRAFT1.DOC